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The situation in the occupied territories of Azerbaijan

Letter dated 28 July 2006 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith a letter, dated 28 July 2006, from Elmar Mammadyarov, Minister for Foreign Affairs of the Republic of Azerbaijan, regarding the massive fires in the occupied territories of Azerbaijan (see annex). Please take note that the satellite images mentioned in the letter have previously been circulated in the letter dated 28 June 2006 (A/60/911-S/2006/450) and are therefore not attached to the present letter.

I should be grateful if you would have the present letter urgently circulated as a document of the sixtieth session of the General Assembly, under item 40.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

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Annex to the letter dated 28 July 2006 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I am writing to you with regard to the urgent matter related to the conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan, which is entering a new dangerous phase.

As you are aware, approximately 20 % of the territory of the Republic of Azerbaijan, including the Nagorno-Karabakh region, remains under military occupation by the Republic of Armenia for more than 10 years now. During this entire period of time the Armenian side has been consistently and purposefully conducting a policy aimed at consolidating the results of its aggression and occupation, thus gravely violating international humanitarian law, including the Geneva Convention of 1949. These unlawful steps included *inter alia* massive transfer of Armenian population into the occupied territories, destruction of Azerbaijani historic, cultural and religious monuments, exploitation of natural resources.

Most recently the Armenian occupying forces took yet another destructive step. Using a hot and dry weather, which dominated in the region since mid-May 2006, they have been setting massive fires in the eastern part of the occupied territories, particularly in Agdam, Fizuli, Djebrayil, Khojavend and Ter-Ter regions of Azerbaijan.

For your reference I am enclosing the satellite imagery of the fires-affected territories in Agdam and Khojavend regions, which we obtained in June 2006. Comparison of these pictures with the satellite images taken in 2005 demonstrates clearly that these territories were not touched by fire previous year. Thorough analyses of the satellite photos confirm that the fires are indeed disastrous and of large scale. The whole burnt area could be divided into five larger parts of almost equal size. More in-depth investigation of the satellite images demonstrates that these parts are separated from each other by spaces, which remained untouched by the fire. The spaces are clearly seen and their several kilometers width proves that the fire could hardly spread from one part to another bypassing them. Since these satellites pictures were shot the fires went on covering larger portions of territories. The territory of Azerbaijan that has been affected by the fires so far amounts to approximately 163.3 square km.

So, the scope, character and way of spreading of fires clearly reflected in the satellite imagery, confirms their intentional and artificial origin. Even regardless of origin, the inaction by the Armenian side, its downplaying the reports of the fires' true scope and character, and, finally, its measures to prevent the attempts by the Azerbaijani side to fight the fires creates a ground to qualify these intentional actions as a grave breach of international humanitarian law.

The ultimate reason for this barbaric "*scorched earth*" policy, applied by the Armenian forces, is to make these territories virtually unsuitable for living and thus to prevent hundreds of thousands of Azerbaijani IDPs to return to their homes. Once flourishing and cultivated by Azerbaijani farmers in less than two months these areas have been turned into a burned desert. Fire has totally destroyed whatever ruined and plundered villages, farms, schools, fields or orchards that remained there.

Furthermore, a great damage has been inflicted upon environment of these territories, having seriously undermined a fragile ecosystem, including soil, flora and fauna. Besides very immediate and evident effects, this would also cause long-term grave negative consequences, and thereby prejudice the health or survival of the population.

The OSCE Fact-finding Mission, which visited the fires-affected territories in early July, has confirmed in its report the fact of fires and their vast scope and proved in principle the initial information obtained by the Azerbaijani side and presented to the international community.

In this regard, I consider it as a matter of the most urgent priority to conduct an environmental operation in the fire-affected territories by international organizations. The Government of Azerbaijan stands ready to second its experts in the fields of emergencies and environment protection to participate actively in such operation. Having provided its cooperation in realization of such activities with participation of international organizations and Azerbaijani experts the Armenian side will thus demonstrate its good will and a true readiness for peaceful actions.

I count on your support of this proposal by Azerbaijan and on your valuable assistance in its realization, which could serve as an effective proof of the UN role in the crisis management and environment protection.

(*Signed*) Elmar **Mammadyarov**
Minister